

(e) EFFECTIVE DATE.—The amendments made by subsections (b) and (c) of this section shall take effect 90 days after the date of enactment of this Act and, except as provided in subsection (d), shall apply with respect to proceedings that arise or continue after such effective date.

SEC. 606. PLACE OF HOLDING COURT IN THE DISTRICT COURT OF UTAH.

(a) NORTHERN DIVISION.—Section 125(1) of title 28, United States Code, is amended by inserting "Salt Lake City and" before "Ogden".

(b) CENTRAL DIVISION.—Section 125(2) of title 28, United States Code, is amended by inserting "Provo, and St. George" after "Salt Lake City".

SEC. 607. EXCEPTION OF RESIDENCY REQUIREMENT FOR DISTRICT JUDGES APPOINTED TO THE SOUTHERN DISTRICT AND EASTERN DISTRICT OF NEW YORK.

Section 134(b) of title 28, United States Code, is amended—

(1) by inserting "the Southern District of New York, and the Eastern District of New York," after "the District of Columbia,"; and

(2) by inserting at the end the following: "Each district judge of the Southern District of New York and the Eastern District of New York may reside within 20 miles of the district to which he or she is appointed."

SEC. 608. EXTENSION OF CIVIL JUSTICE EXPENSE AND DELAY REDUCTION REPORTS ON DEMONSTRATION AND PILOT PROGRAMS.

(a) DEMONSTRATION PROGRAM.—Section 104(d) of the Civil Justice Reform Act of 1990 (28 U.S.C. 471 note) is amended by striking out "December 31, 1996," and inserting in lieu thereof "June 30, 1997,".

(b) PILOT PROGRAM.—Section 105(c)(1) of the Civil Justice Reform Act of 1990 (28 U.S.C. 471 note) is amended by striking out "December 31, 1996," and inserting in lieu thereof "June 30, 1997,".

SEC. 609. PLACE OF HOLDING COURT IN THE SOUTHERN DISTRICT OF NEW YORK.

The last sentence of section 112(b) of title 28, United States Code, is amended to read as follows:

"Court for the Southern District shall be held at New York, White Plains, and in the Middletown-Walkkill area of Orange County or such nearby location as may be deemed appropriate."

SEC. 610. VENUE FOR TERRITORIAL COURTS.

(a) CHANGE OF VENUE.—Section 1404(d) of title 28, United States Code, is amended to read as follows:

"(d) As used in this section, the term 'district court' includes the District Court of Guam, the District Court for the Northern Mariana Islands, and the District Court of the Virgin Islands, and the term 'district' includes the territorial jurisdiction of each such court."

(b) CURE OR WAIVER OF DEFECTS.—Section 1406(c) of title 28, United States Code, is amended to read as follows:

"(c) As used in this section, the term 'district court' includes the District Court of Guam, the District Court for the Northern Mariana Islands, and the District Court of the Virgin Islands, and the term 'district' includes the territorial jurisdiction of each such court."

(c) APPLICABILITY.—The amendments made by this section apply to cases pending on the date of the enactment of this Act and to cases commenced on or after such date.

BROADENING THE SCOPE OF CERTAIN FIREARM OFFENSES

Mr. LOTT. Mr. President, I ask unanimous consent the Judiciary Commit-

tee be discharged from further consideration of S. 1612, a bill to broaden the scope of certain firearm offenses, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1612) to provide for increased mandatory minimum sentences for criminals possessing firearms.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 5433

(Purpose: To provide a complete substitute)

Mr. LOTT. Mr. President, I send an amendment to the desk for Senators DEWINE, HELMS, and ABRAHAM. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] for Mr. DEWINE, for himself, Mr. HELMS, and Mr. ABRAHAM, proposes an amendment numbered 5433.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. FIREARMS OFFENSES.

(a) IN GENERAL.—Sections 924(c)(1) and 929(a)(1) of title 18, United States Code, are each amended by striking "uses or carries" and inserting "possesses".

(b) AMENDMENT OF SENTENCING GUIDELINES.—

(1) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the Federal Sentencing Guidelines and the policy statements of the Commission to provide an appropriate sentence enhancement with respect to any defendant who discharges a firearm during or in relation to any crime of violence or any drug trafficking crime.

(2) CONSISTENCY.—In carrying out this subsection, the United States Sentencing Commission shall—

(A) ensure that there is reasonable consistency with other Federal Sentencing Guidelines;

(B) avoid duplicative punishment for substantially the same offense; and

(C) take into account any mitigating circumstances that might justify an exception to any amendment made under paragraph (1).

(3) DEFINITIONS.—For purposes of this subsection, the terms "crime of violence" and "drug trafficking crime" have the same meanings as in section 924(c) of title 18, United States Code.

Amend the title so as to read: "A bill to broaden the scope of certain firearms offenses, and for other purposes."

Mr. DEWINE. Mr. President, there is concern that some in the House might oppose S. 1612, the Helms/DeWine bill that just passed unanimously, for political reasons. I should emphasize the significance of getting this legislation passed by the House and sent to the President for his signature. This measure, which broadens the scope of firearms offenses committed by violent criminals, is essential if Federal prosecutors are going to have the tools nec-

essary to combat violence and drug trafficking. I urge our colleagues in the House to pass this legislation with dispatch, and to send it to the President, whose Justice Department has been very supportive of this bill. Those who would stop this bill, do so at the expense of law-abiding citizens.

Mr. LOTT. Mr. President, I ask unanimous consent the amendment be agreed to, the bill be deemed read a third time and passed as amended, the title amendment be agreed to, the motion to reconsider be laid upon the table and any statements relating to the bill appear at an appropriate point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5433) was agreed to.

The bill (S. 1612), as amended, was deemed read for a third time, and passed, as follows:

S. 1612

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FIREARMS OFFENSES.

(a) IN GENERAL.—Sections 924(c)(1) and 929(a)(1) of title 18, United States Code, are each amended by striking "uses or carries" and inserting "possesses".

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(A) ensure that there is reasonable consistency with other Federal Sentencing Guidelines;

(B) avoid duplicative punishment for substantially the same offense; and

(C) take into account any mitigating circumstances that might justify an exception to any amendment made under paragraph (1).

(3) DEFINITIONS.—For purposes of this subsection, the terms "crime of violence" and "drug trafficking crime" have the same meanings as in section 924(c) of title 18, United States Code.

Passed the Senate October 3, 1996.

The title was amended so as to read: "A bill to broaden the scope of certain firearms offenses, and for other purposes."

COMPENSATING OWNERS OF PATENTS

Mr. LOTT. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 632, regarding patent legal fees, and the Senate proceed to its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 632) to enhance fairness in compensating owners of patents used by the United States.